

EXHIBIT 7

MAO DECLARATION OPPOSITION TO SUMMARY JUDGMENT

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Attorneys for Defendant
GOOGLE LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO**

ANIBAL RODRIGUEZ AND JULIE ANNA
MUNIZ, individually and on behalf of all other
similarly situated,

Plaintiff,

vs.

GOOGLE LLC, *et al.*,

Defendant.

Case No. 3:20-CV-04688

**DEFENDANT GOOGLE LLC'S
SECOND SUPPLEMENTAL
RESPONSES AND OBJECTIONS TO
PLAINTIFFS' INTERROGATORIES,
SET THREE**

Judge: Hon. Richard Seeborg
Courtroom: 3, 17th Floor
Action Filed: July 14, 2020

Date Effective	Beg Bates
4/16/2015	GOOG-RDGZ-000211107
Prior to 4/16/2015	GOOG-RDGZ-00211108

INTERROGATORY NO. 8:

Please IDENTIFY one copy of each version of each and every PUBLIC DISCLOSURE that YOU made to USERS. If a PUBLIC DISCLOSURE existed in different versions, IDENTIFY each version separately. For each PUBLIC DISCLOSURE YOU IDENTIFY, state the following information:

(1) the date range during which the PUBLIC DISCLOSURE was shown by YOU to USERS;

(2) a brief description of the way in which the PUBLIC DISCLOSURE was displayed to USERS, sufficient to indicate the specific manner in which the PUBLIC DISCLOSURE was displayed.

For the purpose of this Interrogatory, the term “IDENTIFY” shall mean to state the beginning BATES number of the document.

RESPONSE TO INTERROGATORY NO. 8:

Google objects to this interrogatory as vague and ambiguous as to several undefined terms susceptible to multiple meanings.

Google objects to the definition of “App-Interaction Data” as vague, ambiguous, overbroad, unduly burdensome, and partially irrelevant. Google construes “App-Interaction Data” to mean the types of data sent to Google via Google Analytics for Firebase as alleged in the First Amended Complaint. Google excludes from this definition, among other things, diagnostic-type data sent to Google for the purpose of diagnosing hardware or software issues, none of which is implicated by Plaintiffs’ allegations.

Google objects to the definition of “Google App Developer Disclosure” as vague and ambiguous, compound, and unduly burdensome.

Google objects to the definition of “Device Settings” as vague, ambiguous, and overbroad. Google objects to the definition of “App” as confusing. Plaintiffs’ interrogatories refer to Apps as

Date Effective	Beg Bates
4/20/2018	GOOG-RDGZ-00020554
5/11/2018	GOOG-RDGZ-00020556
4/24/2020	GOOG-RDGZ-00020558
4/24/2020	GOOG-RDGZ-00020560
5/26/2020	GOOG-RDGZ-00020562

Google's public disclosures concerning WAA have not suggested that turning off WAA would disable the anonymized sending of data by GA for Firebase to Google:

Date Effective	Bates Number
Live page pulled 12/20/2020	GOOG-RDGZ-00000921
6/15/2016	GOOG-RDGZ-00000038
11/15/2017	GOOG-RDGZ-00000054
11/5/2015	GOOG-RDGZ-00000200
11/5/2015	GOOG-RDGZ-00000057
12/15/2015	GOOG-RDGZ-00000144
12/15/2015	GOOG-RDGZ-00000059
4/28/2017	GOOG-RDGZ-00000283
4/28/2017	GOOG-RDGZ-00000061
10/31/2013	GOOG-RDGZ-00000090
10/31/2013	GOOG-RDGZ-00000063
12/2/2014	GOOG-RDGZ-00000084
12/2/2014	GOOG-RDGZ-00000065
3/19/2015	GOOG-RDGZ-00000229
3/19/2015	GOOG-RDGZ-00000067
4/8/2015	GOOG-RDGZ-00000172
4/8/2015	GOOG-RDGZ-00000069
5/29/2014	GOOG-RDGZ-00000260
5/29/2014	GOOG-RDGZ-00000071

Date Effective	Bates Number
8/16/2018	GOOG-RDGZ-00000278
8/17/2018	GOOG-RDGZ-00000166
1/7/2015	GOOG-RDGZ-00000126
2/10/2015	GOOG-RDGZ-00000250
3/5/2015	GOOG-RDGZ-00000218
3/5/2015	GOOG-RDGZ-00000215
3/5/2015	GOOG-RDGZ-00000191
4/3/2015	GOOG-RDGZ-00000146
5/14/2015	GOOG-RDGZ-00000179
5/14/2015	GOOG-RDGZ-00000284
7/4/2015	GOOG-RDGZ-00000242
7/28/2015	GOOG-RDGZ-00000269
8/5/2015	GOOG-RDGZ-00000261
9/10/2015	GOOG-RDGZ-00000131
9/16/2015	GOOG-RDGZ-00000287
1/27/2016	GOOG-RDGZ-00000105
2/2/2016	GOOG-RDGZ-00000095
6/28/2016	GOOG-RDGZ-00000122
6/28/2016	GOOG-RDGZ-00000266
6/28/2016	GOOG-RDGZ-00000162
6/28/2016	GOOG-RDGZ-00000171
7/15/2016	GOOG-RDGZ-00000299
7/18/2016	GOOG-RDGZ-00000232
7/18/2016	GOOG-RDGZ-00000268
7/18/2016	GOOG-RDGZ-00000173
7/18/2016	GOOG-RDGZ-00000153
7/18/2016	GOOG-RDGZ-00000290
9/21/2016	GOOG-RDGZ-00000186
9/21/2016	GOOG-RDGZ-00000198
9/28/2016	GOOG-RDGZ-00000228
9/28/2016	GOOG-RDGZ-00000295

Date Effective	Bates Number
10/27/2016	GOOG-RDGZ-00000240
10/27/2016	GOOG-RDGZ-00000097
2/13/2017	GOOG-RDGZ-00000292
11/15/2017	GOOG-RDGZ-00000098
12/21/2017	GOOG-RDGZ-00000133
1/9/2018	GOOG-RDGZ-00000206
1/9/2018	GOOG-RDGZ-00000297
1/9/2018	GOOG-RDGZ-00000182
8/3/2018	GOOG-RDGZ-00000294
3/27/2019	GOOG-RDGZ-00000167
5/7/2019	GOOG-RDGZ-00000231
10/1/2019	GOOG-RDGZ-00000120
8/5/2020	GOOG-RDGZ-00000225

Indeed, GA for Firebase is an optional feature that app developers incorporate voluntarily into their apps in order to learn about how their apps are performing. The functioning of GA for Firebase is made clear to app developers through Google's help pages concerning the Firebase SDK, and users are able to view those pages if they are curious about GA for Firebase:

Beg Bates
GOOG-RDGZ-00013450
GOOG-RDGZ-00013455
GOOG-RDGZ-00013459
GOOG-RDGZ-00013461
GOOG-RDGZ-00013466
GOOG-RDGZ-00013468
GOOG-RDGZ-00013471
GOOG-RDGZ-00013474;GOOG-RDGZ-00017376
GOOG-RDGZ-00013476
GOOG-RDGZ-00013484
GOOG-RDGZ-00013486;GOOG-RDGZ-00017378

Date Effective	Beg Bates
2/4/2021	GOOG-RDGZ-00188616
7/1/2021	GOOG-RDGZ-00188632
2/10/2022	GOOG-RDGZ-00188602


SECOND SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 8:

Subject to and without waiving the foregoing objections, Google responds further as follows:
Google's additional disclosures are listed below:

Date Effective	Beg Bates
4/16/2015	GOOG-RDGZ-00211107
Prior to 4/16/2015	GOOG-RDGZ-00211108

Dated: April 28, 2023

WILLKIE FARR & GALLAGHER LLP

By: 
Eduardo E. Santacana

Attorneys for Defendant Google LLC

VERIFICATION

I, David Monsees, declare:

I am a Product Manager at Google LLC, a Delaware limited liability company organized and existing under the laws of Delaware, which is a Defendant in the above-entitled action, and I have been authorized to make this verification on its behalf.

I have read the foregoing DEFENDANT GOOGLE LLC'S SECOND SUPPLEMENTAL RESPONSES AND OBJECTIONS TO PLAINTIFFS' INTERROGATORIES, SET THREE, and I have knowledge of the information within Google's Second Supplemental Responses to Interrogatory Nos. 7-8. I am informed and believe that the facts relating to those topics are true and correct.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed at San Francisco, California on this 28th day of April, 2023.


David Monsees

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Your searches and browsing history are saved to your Google Account if Web & App Activity is turned on. When Web & App Activity is on, you may get better search results and recommendations across Google services.

You're in control of what's saved, and you can delete your past searches and browsing activity or turn off Web & App Activity at any time.

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What's saved as Web & App Activity

Web & App Activity

When Web & App Activity is on, Google saves information like:

- Searches and other things you do on Google products and services, like Search and Maps
- Your connection information, including location, language, and whether you use a browser or an app
- Ads you respond to by clicking the ad itself or buying something on the advertiser's site
- Your IP address
- Results that are returned, including results from information on your device (like recent apps or contact names you searched for) and [search results from other Google products](#)

Note: Activity may be saved even when you're offline.

Activity from Chrome, websites, and apps

When Web & App Activity is on and you check the box next to "Include Chrome browsing history and activity from websites and apps that use Google services," Google saves information like:

- Your Chrome browsing history. This information helps you see more accurate search results and suggestions. For example, if you read a lot of articles about your favorite sports team, you might see an option to receive news updates about that team. **Note:** Your Chrome history is only saved if you're signed in to your Google Account and have [Chrome Sync turned on](#).
- Websites and apps you use and the data they share with Google. This information lets you see things you've looked at on other websites and apps in your Google search results.
- Your activity on websites and in apps that use Google services. These services include things like embedded maps and search boxes, and ads served by Google on other sites and apps.

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Note: To use the Google Assistant, Web & App Activity must be turned on.

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What's saved as Web & App Activity

Info about your searches and more

When Web & App Activity is on, Google saves information like:

- Searches and other things you do on Google products and services, like Maps
- Your location, language, IP address, and whether you use a browser or an app
- Ads you click, or things you buy on an advertiser's site
- Information on your device like recent apps or contact names you searched for

Note: Activity may be saved even when you're offline.

Info about your browsing and more

Google can save information like:

- Websites and apps you use
- Your activity on websites and in apps that use Google services
- Your Chrome browsing history

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Turn Web & App Activity on or off

Computer

Android

iPhone or iPad

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Your searches and the sites you visit may also be stored in your browser or the Google Toolbar. Learn how to delete your history on [Chrome](#), [Toolbar](#), [Safari](#), [Internet Explorer](#), or [Firefox](#).

See and control your search activity

If Web & App Activity is turned on, your searches and activity from other Google services are saved to your Google Account, so you may get better search results and suggestions.

You control what's saved, and you can delete your past searches and activity or turn off Web & App Activity at any time.

Note: If you got your Google Account through work or school, you may need to contact your administrator to turn on the Web & App Activity service for your organization.

See or delete your search activity

You can find and delete your searches and browsing activity by visiting [My Activity](#). Learn more about [how to view and control activity](#) or [how to delete activity](#).

What's saved as Web & App Activity

Info about your searches and more

When Web & App Activity is on, Google saves information like:

- Searches and other things you do on Google products and services, like Maps
- Your location, language, IP address, referrer, and whether you use a browser or an app
- Ads you click, or things you buy on an advertiser's site
- Information on your device like recent apps or contact names you searched for

Note: Activity may be saved even when you're offline.

Info about your browsing and more

Google can save information like:

- Websites and apps you use
- Your activity on websites and in apps that use Google services
- Your Chrome browsing history

To let Google save this information, Web & App Activity must be on, and the box next "Include Chrome browsing history and activity from websites and apps that use Google services" must be checked.

Note: Your Chrome history is only saved if you're signed in to your Google Account and have [Chrome Sync turned on](#).

How your saved activity is used

Learn more about [how Google uses your saved activity](#) and helps keep it private.

For more information about how Google treats search queries generally, see the [Privacy Policy FAQ](#).

How Web & App Activity works when you're signed out

Your search and ad results may be customized using search-related activity even if you're signed out. To turn off this kind of search customization, you can [search and browse privately](#).

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See & control your Web & App Activity

If Web & App Activity is turned on, your searches and activity from other Google services are saved in your Google Account, so you may get more personalized experiences, like faster searches and more helpful app and content recommendations.

You can turn Web & App Activity off or delete past activity at any time.

Note: If you got your Google Account through work or school, you could need to contact your administrator to turn on the Web & App Activity additional service for your organization.

What's saved as Web & App Activity

Info about your searches & more

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What's saved as Web & App Activity

Info about your searches and other activity on Google sites, apps, and services

When Web & App Activity is on, Google saves information like:

- Searches and other things you do on Google products and services, like Maps and Play
- Your location, language, IP address, referrer, and whether you use a browser or an app
- Ads you click, or things you buy on an advertiser's site
- Information on your device like recent apps or contact names you searched for

Note: Activity could be saved even when you're offline.

Info about your browsing and other activity on sites, apps, and devices that use Google services

When Web & App Activity is on, you can include additional activity like:

- Sites and apps that partner with Google to show ads
- Sites and apps that use Google services, including data that apps share with Google
- Your Chrome browsing history
- Android usage & diagnostics, like battery level and system errors

To let Google save this information:

- Web & App Activity must be on.
- The box next to "Include Chrome history and activity from sites, apps, and devices that use Google services" must be checked.

Your Chrome history is saved only if you're signed in to your Google Account and have Chrome Sync turned on. [Learn about Chrome Sync](#).

Note: If you use a shared device or sign in with more than one account, activity might be saved to the default account on the browser or device you use.

Voice and audio recordings

When Web & App Activity is on, you can include voice and audio recordings as part of your activity. [Learn about voice and audio recordings](#).

To let Google save this information:

- Web & App Activity must be on.
- The box next to "Include voice and audio recordings" must be checked.

How your saved activity is used

Learn more about [how Google uses your saved activity](#) and helps keep it private.

For more information about how Google treats search queries generally, see the [Privacy Policy FAQ](#).

How Web & App Activity works when you're signed out

Your search and ad results may be customized using search-related activity even if you're signed out. To turn off this kind of search customization, you can search and browse privately. [Learn how](#).

Browser history

In the [Activity controls](#) page, you can also check the box to "Include Chrome history and activity from sites, apps, and devices that use Google services." When this box is checked, you can control whether activity from your device is saved.

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What's saved as Web & App Activity

Info about your searches and other activity on Google sites, apps, and services

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Note: If you use a shared device or sign in with more than one account, activity might be saved to the default Account on the browser or device you use.

Audio recordings

When Web & App Activity is on, you can include audio recordings from your interactions with Google Search, Assistant, and Maps as part of your activity. [Learn about audio recordings](#).

To let Google save this information:

- Web & App Activity must be on.
- The box next to "Include audio recordings" must be checked.

How your saved activity is used

Learn more about [how Google uses your saved activity](#) and helps keep it private.

For more information about how Google treats search queries generally, see the [Privacy Policy FAQ](#).

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Your search and ad results may be customized using search-related activity even if you're signed out. To turn off this kind of search customization, you can search and browse privately. [Learn how](#).

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